

Notice of Allowability

Application No.

10/648,460

Examiner

Yaritza Guadalupe McCall

Applicant(s)

ADAMS ET AL.

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/1/2004.
2. ☒ The allowed claim(s) is/are 1-28.
3. ☒ The drawings filed on 26 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

In response to Amendment filed November 1, 2004

Reasons for Allowance

1. The following is an examiner's statement of reasons for allowance:
 - a. Claims 1 - 8 are allowable over the Prior Art of Record because it fails to teach or suggest an inclinometer for measuring the angle between a reference angular position and an angularly adjustable surface of a portion of a wing of an aircraft, said wing having a leading edge and a trailing edge, said inclinometer comprising a data processor for receiving the output signals from the pair of accelerometers to determine a first reference position of the adjustable surface of the wing, to determine a second adjusted position of the adjustable surface of the wing and to determine an angle between the first reference position and the second adjusted position in combination with the remaining limitations of the claims.
 - b. Claims 9 - 14 are allowable over the Prior Art of Record because it fails to teach or suggest an inclinometer for measuring the angle between a reference angular position and an angularly adjustable surface of a portion of a wing of an aircraft, said inclinometer comprising a data processor for receiving the output signals from the pair of

accelerometers to determine a first reference position of the adjustable surface of the wing, to determine a second adjusted position of the adjustable surface of the wing and to determine an angle between the first reference position and the second adjusted position in combination with the remaining limitations of the claims.

c. Claims 15 - 17 are allowable over the Prior Art of Record because it fails to teach or suggest a method for measuring the angle of an adjustable surface between a first reference position and a second adjusted position, said method comprising the steps of determining with the data processor a first reference position and a second reference position from the output signal of the pair of accelerometers and determining the angle between the first reference position and the second adjusted position in combination with the remaining limitations of the claims.

d. Claims 18 - 23 are allowable over the Prior Art of Record because it fails to teach or suggest an inclinometer for measuring the angle between a first reference angular position and a second angularly adjusted position of an adjustable surface, the adjustable surface being a portion of a wing of an aircraft, said wing having a leading edge and a trailing edge, said inclinometer comprising a data processing means for receiving and processing the output signals from the pair of accelerometers to determine a first reference position of the adjustable surface of the wing, to determine a second adjusted position of the adjustable surface of the wing and to determine an angle between the first

reference position and the second adjusted position in combination with the remaining limitations of the claims.

e. Claims 24 - 28 are allowable over the Prior Art of Record because it fails to teach or suggest an inclinometer for measuring the angle between a first reference angular position and a second angularly adjusted position of an adjustable surface, the adjustable surface being a portion of a wing of an aircraft, said inclinometer comprising a data processing means for receiving and processing the output signals from the pair of accelerometers to determine a first reference position of the adjustable surface of the wing, to determine a second adjusted position of the adjustable surface of the wing and to determine an angle between the first reference position and the second adjusted position in combination with the remaining limitations of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion


2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yaritza Guadalupe whose telephone number is (571)272 -2244.

The examiner can normally be reached on 9:00 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yaritza Guadalupe McCall
Patent Examiner
Art Unit 2859
December 28, 2004


G. BRADLEY BENNETT
PRIMARY EXAMINER
AU 2859